

REMARKS

The Office Action dated March 15, 2005 has been carefully reviewed and the foregoing amendments are made in response thereto. In view of the amendments and the following remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Claim 16 has been amended to incorporate the specific salt concentration and temperature of the stringent hybridization conditions as requested by the Examiner. Support for this amendment can be found on page 7, lines 15-16 of the specification.

In addition, a substitute specification is submitted herewith that contains the tables submitted with the original application. In addition, the substitute specification contains all amendments to the specification made throughout prosecution. A marked-up version showing all the changes to the specification relative to the original specification has been included.

No prohibited new matter has been introduced by these amendments.

Objections to the Specification and Tables

The specification was objected to because the amendment to the priority information submitted on August 1, 2001, allegedly contained new matter. Applicants respectfully submit that the typographical error in this amendment was corrected in the amendment subsequently filed on March 3, 2004. Accordingly, no new matter exists in the amended specification. The substitute specification submitted herewith contains the correct priority information as submitted in the amendment filed March 3, 2004. Reconsideration and withdrawal of the objection are respectfully requested.

The specification and tables were objected to because the Examiner could not find Table 1 in the specification. As reported in the Office Action, the amendment submitted August 1, 2001 incorporating Table 1 into the specification is too extensive to be entered. Accordingly, the Examiner has requested a substitute specification incorporating the tables. Applicants have submitted herewith the substitute specification incorporating the tables and all previous amendments. Reconsideration and withdrawal of the objection are respectfully requested.

Rejection under 35 U.S.C. § 112 (second paragraph)

Claim 16 has been rejected allegedly as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Examiner takes the position that the definition of “stringent hybridization conditions” is ambiguous. Solely in an effort to advance prosecution of the instant application and not in acquiescence of the rejection, claim 16 has been amended to specify that the stringent hybridization conditions comprise 5 x SSPE and a temperature of 25-30° C. Support of the amendment can be found on page 7, lines 15-16 of the specification. Applicants respectfully submit that the amendment to the claim and the disclosure of the specific stringent hybridization conditions in the specification render the rejection moot. Withdrawal of the rejection is respectfully requested.

Conclusion

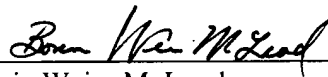
In view of the foregoing remarks, Applicants respectfully request withdrawal of all outstanding rejections and early notice of allowance to that effect. If the Examiner has any further questions or concerns regarding the amendments made herein or previously, or the application in general, she is encouraged to telephone the undersigned at her convenience.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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